

CHAPTER 238

GOVERNMENT - LOCAL

HOUSE BILL 22-1371

BY REPRESENTATIVE(S) McLachlan and Roberts, Bird, Bockenfeld, Boesenecker, Duran, Jodeh, Kipp, Lindsay, McCluskie, Mullica, Ricks, Titone;
also SENATOR(S) Cooke and Fields.

AN ACT

CONCERNING REMOVING THE REQUIREMENT THAT A PEACE OFFICER BE A BONA FIDE COLORADO RESIDENT.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **amend** 29-5-101 as follows:

29-5-101. Peace officers appointment. ~~No sheriff, mayor of a city, or other person authorized by law to appoint special deputy sheriffs, marshals, policemen, or other peace officers in the state to preserve the public peace and prevent or quell public disturbances shall hereafter appoint as such special deputy sheriff, marshal, policeman, or other peace officer any person who is not at the time of the appointment a bona fide resident of the state of Colorado, and no person shall~~ A PERSON SHALL NOT assume or exercise the functions, powers, duties, or privileges incident and belonging to ~~the office of special deputy sheriff, a marshal, policeman~~ POLICE OFFICER, or other peace officer without having first received ~~his~~ AN appointment in writing from the lawfully constituted authorities of the state. ~~Notwithstanding the residency requirement stated in this section, a person may be deputized or otherwise assigned to law enforcement duty pursuant to section 29-5-104 (2) although such person is not a bona fide resident of this state.~~

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be

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held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 26, 2022